



**CITY COUNCIL
MEETING AGENDA
December 6, 2022
3:30 p.m.**

**Council Chambers, Lobby Floor
City Hall - 125 North Main Street
Memphis, Tennessee 38103-2017**

*If You Are In Need Of A Special Accommodation While
Attending The Meeting, Please Alert The Council Staff.*

Super District 8-3. Chairman Martavius Jones

Super District 8-1. Vice Chairman JB Smiley, Jr.

District 1. Rhonda Logan

District 2. Frank Colvett, Jr.

District 3. Patrice J. Robinson

District 4. Jana Swearengen-Washington

District 5. Worth Morgan

District 6. Edmund Ford, Sr.

District 7. Michalyn Easter-Thomas

Super District 8-2. Cheyenne Johnson

Super District 9-1. Chase Carlisle

Super District 9-2. J. Ford Canale

Super District 9-3. Dr. Jeff Warren

ORDER OF BUSINESS

I. CALL TO ORDER by the Sergeant-at-Arms

II. INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Chief of Staff of the Memphis City Council.

III. PLEDGE OF ALLEGIANCE

IV. CALL OF ROLL by the Comptroller

V. APPROVAL OF PREVIOUS MEETING MINUTES (November 15, 2022)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. PRESENTATION of the 2022 Memphis City Beautiful Slam Dunk Litter League Winners. Requested by Councilwoman Logan.
2. RESOLUTION approving an Honorary Street Name Change of N. Watkins Street between St. Elmo Avenue and Burnham Avenue for Pastor Ricky Floyd. District 7, Super District 8. This Resolution is sponsored by Councilmembers Logan and Canale. (Request for Same Night Minutes)
3. RESOLUTION approving an Honorary Street Name Change for South Parkway East from South Willett Street to Kyle Street for Jarvis R. Greer. District 4, Super District 8. This Resolution is sponsored by Councilman Colvett. (Request for Same Night Minutes)

- 4. RESOLUTION requesting an Honorary Street Name Change for Stovall Avenue from Boxwood Street to Hyde Park Boulevard for Pastor C.L. Mathis. District 7, Super District 8. This Resolution is sponsored by Councilwoman Easter-Thomas. (Held from 11/15) **(Request for Same Night Minutes)**
- 5. RESOLUTION honoring Doug McGowen for his extraordinary service and contributions to the City of Memphis. This Resolution is sponsored by Councilmembers Warren, Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Logan, Morgan, Robinson, Smiley and Swearingen-Washington.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

6. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 999 Channel Avenue on President’s Island, Parcel ID #050107 00014. This Resolution is sponsored by the Division of Planning and Development. (Held from 11/15)

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. SUP 22-26

Applicant: Thompson Valerie Trust / Morgan Steel
Brenda Solomito Basar of Solomito Land Planning (Representative)

Request: To allow a metal recycling facility

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING

7. ORDINANCE amending Ordinance No. 5367 of the Code of Ordinances, City of Johnson Chairman, Planning & Zoning Committee
Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a zoning use district reclassification for land located on the east side of North Bingham, South of Jackson Avenue by taking the land out of the Employment (EMP) Use District and including it in the Residential Urban – 3 (RU-3) Use District, up for T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. Z 22-06
Ordinance No. 5840

Applicant: Harish Yakkala
 Harish Yakkala – Representative

Request: Rezoning of +/-2.1 acres from Employment (EMP) to Residential Urban – 3 (RU-3)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

104 NOTICES WERE MAILED ON NOVEMBER 6, 2022

CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

8. **ORDINANCE** for designation of qualified public use facility, Creation of the Sheraton Hotel Tourism Development Zone Tourism Surcharge, up for S E C O N D reading. Ordinance No. 5841 is sponsored by the Administration.

Ford
Chairman,
Economic
Development,
Technology, &
Tourism
Committee

ACTION REQUESTED: Adopt the Ordinance on Second reading

ZONING ORDINANCE – FIRST READING

9. **ORDINANCE** amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to authorize a zoning use district reclassification for land located on the south side of TN 385, north side of Riverdale Bend Road and east of Riverdale Road by taking the land out of the Conservation Agriculture (CA) Use District and including it in the Commercial Mixed Use – 3 (CMU-3) Use District, up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 22-09
Ordinance No. 5842

Applicant: MIM LLC – Prentiss Mitchell

Request: Rezoning of +/-0.31 acres from Conservation Agriculture (CA) to Commercial Mixed Use – 3 (CMU-3)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

ZONING ORDINANCE - SECOND READING

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

10. RESOLUTION approving the engineering plans for CHICK-FIL-A #4993 (AUSTIN PEAY) and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5430

Resolution approves the engineering plans within the present limits of the City of Memphis, and located at 3565 Austin Peay Highway in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Liberty Mutual Insurance Company Performance Bond No. 016237799 in the amount of \$55,600.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

11. RESOLUTION approving the engineering plans for CENTRAL LOFTS and accepting the bond as security. (Request for Same Night Minutes)

Contract No. CR-5431

Resolution approves the engineering plans within the present limits of the City of Memphis, and located at 300 South Hollywood in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts ARCH Insurance Company Performance Bond No. SU1172113-0000 in the amount of \$148,300.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 12. RESOLUTION accepting the public improvements for OVERTON GATEWAY SOUTH PD (17-07) [CR-5293] and authorizes the release of bond. (Request for Same Night Minutes)

(Contract No. CR-5293)

Resolution accepts the public improvements within the present limits of the City of Memphis, and located at the southeast corner of Sam Cooper Blvd. and East Parkway North intersection in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the release of the ARCH Insurance Company Performance Bond No. SU1156118 in the amount of \$84,200.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 13. RESOLUTION accepting public improvements for SUNSET DOWNS P.D. PARCEL B-1 [CR-5398] and authorizes the release of the Alternate Bond. (Request for Same Night Minutes)

(Contract No. CR-5398)

Resolution accepts the public improvements in the present limits of the City of Memphis, and located at the northeast corner of Trinity Road and North Ericson Road in the present limits of Memphis, Tennessee. Resolution also authorizes the release of the Bank of Fayette County Certificate of Deposit No. 523607 in the amount of \$62,300.00, held as security on behalf of the City. [Alternative Bond]

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

14. RESOLUTION accepting grant funds in the amount of (\$625,000.00) from the Tennessee Department of Environment and Conservation for recreation site improvements at Audubon Park. Council District 5, Super District 9. This Resolution is sponsored by Memphis Parks. (Request for Same Night Minutes)
15. RESOLUTION accepting in kind donation in the amount of (\$7,450.00) from Memphis Museums Incorporated (MMI) for improvements to the structure and property of the Magevney House. Council District 6, Super District 8. This Resolution is sponsored by Memphis Parks. (Request for Same Night Minutes)
16. RESOLUTION accepting in-kind donation in the amount of (\$5,547.00) from U.S. National Teqball Federation for the support and development of the Teqball sport. All Council Districts. This Resolution is sponsored by Memphis Parks. (Request for Same Night Minutes)
17. RESOLUTION accepting grant funds in the amount of (\$75,000.00) from the National Endowment for the Arts to support the Memphis Heritage Trail Arts Collab. Council District 6, Super District 8. This Resolution is sponsored by Housing and Community Development. (Request for Same Night Minutes)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Chase Carlisle

18. RESOLUTION approving Change No. 1 to Contract No.12247, Gas Transmission Row Mowing and Tree Trimming to ABC Professional Tree Services, Incorporated in the funded amount of \$753,308.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering August 16, 2022, through August 15, 2023).
19. RESOLUTION awarding Contract No. 12366, Large Directional Drilling to Memphis Road Boring Co., Incorporated in the funded amount of \$2,487,600.00.
20. RESOLUTION awarding Contract No. 12387 (solicited under Contract No.12302), Substation Engineering Services (Asset Management) to Burns & McDonnell Engineering Company, Inc., in the funded not-to-exceed amount of \$300,000.00.
21. RESOLUTION approving the ratification of Purchase Order Numbers 7030455 to Stuart C. Irby Company and 7029663 to Industrial Sales Company of Memphis Inc., for gas pipe and electric pedestals in the total amount of \$578,096.48.

REGULAR AGENDA

APPOINTMENTS

22. **MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY**

Easter-
Thomas **Reappointment**
Chairman,
Personnel & Jack Sammons
Governmental

Affairs **MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT**

Committee **Appointment**

April Bostick

MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT

Appointment

Kevin Bruce

GENERAL ORDINANCES THIRD AND FINAL READING

23. **SUBSTITUTE JOINT ORDINANCE** of the City of Memphis and Shelby County, Tennessee enacted pursuant to Community Redevelopment Act of 1998 and the Uniformity in Tax Increment Financing Act of 2012, providing for the establishment of Klondike Redevelopment Trust Fund, up for T H I R D and F I N A L reading. Ordinance No. 5838 is sponsored by the Community Redevelopment Agency.

Ford **ACTION REQUESTED:** Take whatever action Council deems advisable
Chairman,
Economic
Development & Tourism
Committee

24. **ORDINANCE** to establish the City Council meeting dates for 2023, up for T H I R D and F I N A L reading. Ordinance No. 5839 is sponsored by Chairman Jones.

Jones **ACTION REQUESTED:** Take whatever action Council deems advisable
Chairman,
Executive
Session

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

25. RESOLUTION appropriating construction funds in the amount of (\$580,000.00) for Smiley Project #EN01115-Traffic Signal Improvements to the intersection of Poplar Avenue at Avalon Street. District 5, Super District 8. This Resolution is sponsored by the Chairman, Engineering Division. Public Works, Solid Waste & General Services Committee **ACTION REQUESTED:** Adopt the Resolution

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

26. RESOLUTION approving the acquisition of property in the amount of (\$170,000.00) located at 0 Stonebrook Circle, Parcel I.D. #060222 00115C. District 3, Super District 8. This Resolution is sponsored by General Services and the Engineering Division. Chairman, Public Works, Solid Waste & General Services Committee **ACTION REQUESTED:** Adopt the Resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION

27. RESOLUTION to approve the MLGW FY23 Electric, Gas and Water Operations and Capital Budget. This Resolution is sponsored by MLGW Division. Robinson Chairman, MLGW Committee **ACTION REQUESTED:** Adopt the Resolution

MEMPHIS PARKS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS

28. JOINT RESOLUTION in support of the More for Memphis Initiative. All Council
Easter- Districts. This Resolution is sponsored by Councilmembers Easter-Thomas,
Thomas Canale, Ford, Johnson, Jones, Logan, Robinson, Smiley and Warren.
Chairman,
Personnel & **ACTION REQUESTED:** Adopt the Resolution
Governmental
Affairs
Committee

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT